

Applicant Initiated Interview Request Form

Application No.: 10/734,532 First Named Applicant: REINER SAILER
Examiner: DAVID E. ENGLAND Art Unit: 2443 Status of Application: _____

Tentative Participants:

(1) Richard S. Yapchanyk (2) David E. England
(3) James J. Bitetto (4) _____

Proposed Date of Interview: 5/7/09 or 5/12/09 Proposed Time: 3:00 PM AM/PM

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>103(a) Rej.</u>	<u>claim 12</u>	<u>Ref. A</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>103(a) Rej.</u>	<u>claim 12</u>	<u>Ref. C</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

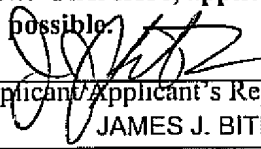
Brief Description of Argument to be Presented:

See attached continuation sheet.

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.


Applicant/Applicant's Representative Signature

JAMES J. BITETTO

Typed/Printed Name of Applicant or Representative
40,513

Registration Number, if applicable

Examiner/SPE Signature

Continuation of Brief Description of Argument to be Presented:**Ref. A**

Ref. A does not teach a method for attestation. As indicated in the present specification (page 2, lines 10-17), prior art attesting systems do not perform tests on running systems. One of the advantages of the present invention is providing an attesting system to perform integrity measurements on executing programs (see page 3, lines 1-8). The performance monitoring system disclosed in Ref. A does not teach such an attesting system.

Ref. A also does not teach "measuring code as the code is **being loaded**." Ref. A discloses taking measurements during the execution of a transaction (see, e.g. col. 4, lines 4-18 which teach measuring the processing time of a transaction). The present invention, however, takes measurements as the code is loaded so that the system can be properly attested and verified before executing the transaction (see, e.g., page 9, lines 7-9).

Ref. C

The Examiner agreed in the last interview that Refs. A and B do not teach "marking the earlier measurement as changed and adding the new measurement to the list." Ref. C also fails to teach this element of claim 12. Ref. C clearly teaches that the 'Contracts' and 'Scanner Status' tables contain only **one** record for each scanner and that these values are changed/modified when the relevant information changes (see e.g., col. 7, line 59-60; col. 10, lines 63-65; and col. 12, lines 38-55). The portions of Ref. C cited by the Examiner only teach keeping a history of the changes made to the 'Contracts' and 'Scanner Status' tables in a separate 'Audit' table, i.e. Contract Audit Table is history for Contract Table (see col. 7, line 66 – col. 8, line 4); Scanner Status Audit Table is history for Scanner Status Table (see col. 11, lines 51-55). In contrast, the present invention stores the earlier measurements and new measurements in the same measurement list (See Fig. 4 and page 14, lines 14-19).